

United States District Court
District of New Hampshire

U.S. DISTRICT COURT
DISTRICT OF NH

2019 APR 23 AM 10:32

FILED

Mesfen A Rowell
Plaintiff

v.

Civil Action No. _____
(To be provided by Clerk's Office)

Sargent Vissa / Nurse. Bancroft /
Defendant(s)
Hillsborough County D.O.C

TO BE COMPLETED BY PLAINTIFF
(Check One Only)
☒ DEMAND FOR JURY TRIAL
☐ NO JURY TRIAL DEMAND

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C § 1983

I. Parties

A. Please provide the following information for each plaintiff:

1. Name Rowell mesfen A
(Last) (First) (Initial)
2. Place of Detention Hillsborough County D.O.C
3. Institutional Address 445 Willow St. Manchester, NH
03301
4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?
☒ Pretrial Detention Order
☐ Sentenced Inmate
5. Date pretrial detention order was issued or sentence imposed Jan 11, 2018

B. Please provide the full name, current title and address known for each defendant:

1. Name Vissa (they won't tell me)
(Last) (First) (Initial)
2. Title Sargent
3. Address 445 Willow St. Manchester, NH
03301

(If the complaint is being made against more than one defendant, please attach additional sheets listing the above information and allegations as follows.)

II. Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which of your federal constitutional or federal statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State, with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged violation or deprivation.

Allegation 1: The 8th Amendment No Cruel and unusual punishment /
42 U.S.C 1983 the right to be Assault free /

Supporting Facts:

* ON JULY 15th 2018 I arrived at the Hillsborough County Department of Correction between the hours of 10^{pm} 1am. Upon arrival I was put in a waiting area for a few minutes and brought out to be Booked. when the booking process started I was feeling disoriented so I asked the booking officer if I can get few minutes. He asked why, and I told I was tased ~~and~~ before I arrived and I'm still feeling the effect.
→ See Attached page.

Allegation 1

He then proceeded to radio the Sargent on duty. Three minutes later the Sargent arrived. I explained to the Sargent the same thing I had told the Booking officer. He then proceeded to grab me by the arm and bring me to the property room. I was then pushed into a corner and viciously struck on the left side of my face by Sarg. Vissa. I was hit with such force that the right side of my face hit the wall and I instantly started to bleed from a cut from above my eye. He then pushed me out to the booking area. I was then handcuffed to a table while I continued to bleed. He then proceeded to threaten me with more violence. If I were to tell anyone about it. He stated that I was just a "Nigger" in New Hampshire and no one is going to believe me or care.

* He violated my 8th Amendment right to cruel and unusual punishment as well as my right to be Assault free under 42. U.S.C 1983. I was punished for seeking some down time to gather my self before I was booked. the assault was unprovoked and unnecessary.

* Due to this Incident I have been suffering from ^{Severe} Headaches, ringing of the ear, and Severe PTSD that has been causing me nightmares for months. I am scared for my life because officer Vissa is still comes to my housing unit. It has taken almost a year to gather the courage to do the right thing and seek justice.

4/2/19
w/for

Allegation 2: 42. U.S.C. 1983 (the right to seek medical attention.)

Supporting Facts: right after the assault I was seen by nurse Bancroft. Upon arrival nurse Bancroft was more concerned with completing the booking assessment than tend to my ~~pleading~~ bleeding. as I sat there bleeding she continued to ask me booking questions. I had informed her that I was in a lot of pain yet she kept looking at Sargent Vissa who was standing behind me. He then gave her a wet towel to clean me up. She wiped the blood off my face and continued the booking process. I sat there in pain suffering. (See Att. page)

Allegation 3: 42. U.S.C. 1985, 1986, Conspiracy to interfere with civil right / to prevent conspiracy.

Supporting Facts: during this incident there were other officers that were present yet not one individual tried to stop the assault or filed an incident report. According to Lt. Brown there is no incident report for that date. I also notified Lt. Fitzpatrick at the incident yet he chose to ignore it. They continue to send Sargent Vissa to my housing unit to create anxiety for me as well as intensify the PTSD. I continue to suffer. → See Att. page

(If more space is needed to explain any allegation or to list additional facts, attach additional pages)

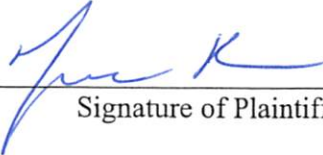
III. Relief

You must request specific relief in your Complaint. State briefly exactly what you want the court to do for you (attach additional pages if necessary): I would like for the courts to order the facility to send me to a specialist to have my head examined as well as find the defendants liable for damages in excess of \$2,000,000 to include punitive damages.

Date:

4/2/19

Mesfen Rowell

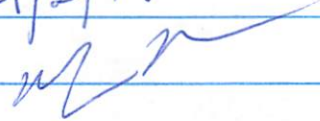


Signature of Plaintiff

Allegation 2

By her not doing her job or Informing her Superiors She failed to do her job and Violated my Constitutional right to Seek and receive medical treatment Under 42. U.S.C 1983. the only medical treatment concerning the injury sustained on July 13 2008 is a I receive is a cleaning of the blood from my face with a wet towel. I pleaded with nurse Bancroft to help me yet she refused to do ~~any~~ anything. Infact she wanted to complete her part of the booking process and leave as fast as possible. She was either Scared of Sargent Vissa or she did not care at all.

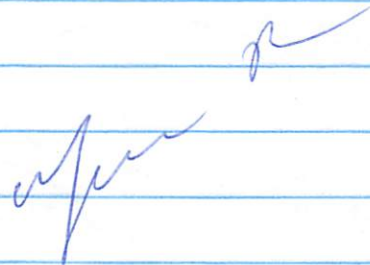
4/2/19



Allegation 3

through out all this, I have filled out request form as well as a Verbal grievances yet that all went unanswered. I truly believe they are being tossed out and not given any attention. I have asked and filled out to have my head examined yet I have ~~not~~ received any form of treatment other than Ibuprophens. I also spoke to Lutehamt Fitzpatrick. he assured me he will do something about it yet these individuals are still employed while I continue to suffer. I have asked and written seeking the Incident reports yet noone seems to find anything on that date. I can prove I was here ~~and~~ yet I am being told I was never in this facility at that time. This seems like a cover up involving ranking officers as well as the owners of this facility. I will assault beat you and cover it up by all mean necessary. I order ~~to~~ to feel my self again, I am seeking justice through our great Judicial System.

4/2/19



State of New Hampshire]
 County of Hillsborough] ss

Rowen Meston on 6152, being first duly sworn, upon oath, presents that (s)he has read and subscribed to the foregoing complaint, and states that the information contained therein is true and correct.

Subscribed and sworn before me this 2nd day of April, 20 19.

[Signature]
 Notary Public/Justice of the Peace



OR

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

4/2/19

DATE

[Signature]

SIGNATURE

JURY TRIAL DEMAND

I demand a jury trial for all claims for which a jury trial is allowed.

YES ☒ NO ☐
 (check one only)

Date:

4/2/19

[Signature]
 Signature of Plaintiff

UNITED STATES DISTRICT COURT

for the

Plaintiff(s)

v.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: